

REMARKS

I. Introduction

With the cancellation of claim 7 without prejudice, claims 6 and 8 to 12 are pending in the present application. Reconsideration of the present application in view of this response is respectfully requested.

Applicants note with appreciation the acknowledgment of the claim for foreign priority and the indication that all certified copies of the priority documents have been received.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper and cited references.

II. Objection to Oath or Declaration

The Office Action Summary indicates that the oath or declaration is objected to by Examiner, and that the Office Action or form PTO-152 should be noted. However, it is respectfully submitted that the objection to the oath or declaration is not understood since the Office Action does not refer to the oath or declaration, and since a form PTO-152 has not been received. Moreover, the Examiner's attention is respectfully directed to the attached copy of the May 13, 2003 Decision Regarding Second Renewed Submission Under 37 C.F.R. 1.42, in which the revised declaration filed on December 9, 2002 was accepted as complying with 37 C.F.R. 1.497. Accordingly, Applicants respectfully request withdrawal of this objection or further clarification as to its supporting basis.

III. Double Patenting Rejection of Claims 6 to 12

Claims 6 to 12 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 12 of commonly-owned U.S. Patent No. 6,647,775. In order to overcome the double-patenting rejections, Applicants submit herewith a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(b) and (c) wherein the terminal portion of the patent to be granted on the present application which would extend beyond the term of U.S. Patent No. 6,647,775 is disclaimed. It is respectfully submitted that the Terminal Disclaimer overcomes the double-patenting rejections.

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

KENYON & KENYON

By: *Richard L. Mayer* (S. No. 4,172)

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By:

Richard L. Mayer

Richard L. Mayer

Reg. No. 22,490

One Broadway

New York, New York 10004

(212) 425-7200

CUSTOMER NO. 26646

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